

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

RANDOLPH CARRION,

Plaintiff,

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.

Docket No.:

**NOTICE OF REMOVAL**

**TO THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK:**

Defendant, Costco Wholesale Corporation (hereinafter "Costco"), for the removal of this action from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York, respectfully shows this Honorable Court:

FIRST: Costco Wholesale Corporation is a defendant in a civil action brought in the Supreme Court of the State of New York, County of Queens, entitled:

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

RANDOLPH CARRION,

Plaintiff,

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.

Index No.: 713670/2021

SECOND: A copy of the Summons and Verified Complaint in this action is annexed hereto as **Exhibit “A”**. Costco removed this matter prior to serving any responsive pleadings. These exhibits constitute all pleadings and orders served upon any party in this action.

THIRD: The Summons and Verified Complaint were served on Costco via Secretary of State on July 12, 2021, and therefore less than thirty (30) days have passed since receipt of the Summons and Verified Complaint.

FOURTH: On July 22, 2021, the undersigned confirmed via email with Plaintiff’s counsel that the damages in this matter are alleged to exceed \$75,000.00. A copy of the email chain is annexed hereto as **Exhibit “B”**. Accordingly, it is clear that the amount of controversy in this matter exceeds \$75,000.00, exclusive of interests and costs.


FIFTH: This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by Costco, pursuant to the provisions of Title 28 United States Code, Section 1441. Specifically, this action may be removed because it is a civil action brought in a Supreme Court of the State of New York, by a citizen of the state of New York, against a foreign corporation whose principal place of business is outside of the State of New York with the amount in controversy exceeding the sum or value of \$75,000.00, exclusive of interest and costs.

*[Remainder of Page Intentionally Left Blank]*

**WHEREFORE**, the defendant, Costco Wholesale Corporation prays that the above action now pending against it in the Supreme Court of the State of New York, County of Queens, be removed from there to this Court.

Dated: New York, New York  
July 28, 2021

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